

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No. 112843-044

In Re Application Of: Berger, A., et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/089,658	July 22, 2002	R. Berko	29157	1615	6858

Invention: NUTRITIONAL COMPOSITION

COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 16, 2005 in the above-identified application.

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: September 16, 2005 *Date* until: October 16, 2005 *Date*

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	24 -	25 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	5 -	5 =	0	x \$200.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$120.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$120.00

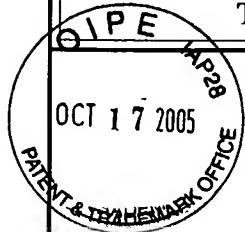
10/17/2005 HDESTA1 00000116 10089658

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COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Large Entity)

Docket No.
112843-044



The fee for the amendment and extension of time is to be paid as follows:

A check in the amount of \$120.00 for the amendment and extension of time is enclosed.

Please charge Deposit Account No. in the amount of

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-1818

- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-1818

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Robert M. Barrett
Reg. No. 30,142

Dated: October 14, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

10-14-05

(Date)

Signature of Person Mailing Correspondence

Heather Foster

Typed or Printed Name of Person Mailing Correspondence

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Berger, A., et al.
Appl. No.: 10/089,658
Conf. No.: 6858
Filed: July 22, 2002
Title: NUTRITIONAL COMPOSITION
Art Unit: 1615
Examiner: R. Berko
Docket No.: 112843-044

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the final Office Action dated June 16, 2005, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.